

**PASSAIC ARTS AND SCIENCE
CHARTER SCHOOL**

**Auditors' Management Report
On
Administrative Findings
Financial, Compliance
And Performance
June 30, 2022**

**PASSAIC ARTS AND SCIENCE CHARTER SCHOOL
Auditors’ Management Report On Administrative Findings
Financial, Compliance and Performance
For the Year Ended June 30, 2022**

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Report of Independent Auditors

Honorable President and
Members of the Board of Trustees
Passaic Arts and Science Charter School
County of Passaic, New Jersey

We have audited, in accordance with generally accepted auditing standards and Government Auditing Standards, issued by the Comptroller General of the United States, the basic financial statements of the Board of Trustees of Passaic Arts and Science Charter School in the County of Passaic, for the year ended June 30, 2022, and have issued our report thereon dated January 31, 2023.

As part of our audit, we performed procedures required by the New Jersey Department of Education and the findings and results thereof are disclosed on the following pages, as listed in the accompanying table of contents.

This report is intended for the information of the Passaic Arts and Science Charter School Board of Trustees's management and the New Jersey Department of Education. However, this report is a matter of public record and its distribution is not limited.

Olugbenga Olabintan, CPA

January 31, 2023
Newark, New Jersey

OLUGBENGA OLABINTAN
Certified Public Accountant/Consultant



Olugbenga Olabintan, CPA
Licensed Public School Accountant
No. 20CS00230200

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Scope of Audit

The audit covered the financial transactions of the Board Secretary/School Business Administrator, the activities of the Charter School, and the records of the various funds under the auspices of the Charter School.

Administrative Practices and Procedures

Insurance

Fire insurance coverage was carried in the amounts as detailed on Exhibit J-20, Insurance Schedule contained in the charter school's ACFR.

Official Bonds (N.J.S.A. 18A:17-32, 18A:13-13)

<u>Name</u>	<u>Position</u>	<u>Amount</u>
Mustafa Coban	Board Secretary/School Business Administrator	\$251,000
Christopher Lessard	Treasurer of School Moneys	\$251,000

There is a Public Employee's Faithful Performance Blanket Position Bond Policy covering all other employees with multiple coverage of \$25,000.

School Leaders Errors and Omissions Liability insurance was carried for all members of the Board of Trustees with coverage for each wrongful act of \$3,000,000.

P.L.2020, Chapter 44

Our audit procedures included an inquiry and subsequent review of health benefit data required per N.J.S.A. 18A:16-13.3 (Chapter 44) submitted for the year on audit. The Chapter 44 summary report was reviewed for reasonableness and timeliness.

The Charter School data certification was completed by the Chief School Administrator. The Charter School's Chapter 44 data was submitted timely.

Tuition Charges

A review of the financial statements indicated that the charter school charged no tuition for any student attending the Charter School and all proceeds for the after school program were accounted for in an Enterprise Fund.

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Financial Planning, Accounting and Reporting

Examination of Claims

An examination of claims paid during the period under review did not indicate any discrepancies with respect to signatures, certification or supporting documentation.

Payroll Account

The net salaries of all employees of the Charter School were deposited in the Payroll Account. Employees' payroll deductions and employer's share of fringe benefits were deposited in the Payroll Agency Account.

All payrolls were approved by the designee in the Charter School and were certified by the President of the Board of Trustees, the School Business Administrator and the Chief School Administrator.

Salary withholdings were promptly remitted to the proper agencies, including health benefits withholdings due to the general fund.

Payrolls were delivered to the School Business Administrator/Board Secretary who then made cash transfers from the Operating account to the separate bank accounts for net payroll and the withholdings.

Reserve for Encumbrances and Accounts Payable

A review of outstanding issued purchased orders was made as of June 30 for proper classification of orders as reserve for encumbrances and accounts payable. No exceptions were noted.

Classification of Expenditures

The coding of expenditures was tested for proper classification in accordance with NJAC 6A:23-2.2(g) as part of our test of transactions of randomly selected expenditure items. We also reviewed the coding of all expenditures included in our compliance and single audit testing procedures. In addition to randomly selecting a test sample, our sample selection specifically targeted administrative coding classifications to determine overall reliability and compliance with N.J.A.C 6A:23 A-8.3. As a result of the procedures performed, no transaction error rate was noted.

Board Secretary's Records

We reviewed the financial and accounting records maintained by the Business Office and we noted no material findings.

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Treasurer's Records

Our review of the treasurer's records disclosed that the Charter School is in compliance with the State requirements. All cash accounts were reconciled monthly and reporting requirements were met on time.

Elementary and Secondary Education Act (E.S.E.A) as amended by the Every Student Succeeds Act (ESSA)

The E.S.E.A. financial exhibits are contained within the Special Revenue Section of the Annual Comprehensive Financial Report (ACFR). This section of the ACFR documents the financial position pertaining to the projects under Titles I through VI of the Elementary and Secondary Education Act as amended and reauthorized.

The study of compliance for E.S.E.A. indicated no areas of noncompliance and/or questionable costs.

Other Special Federal and/or State Projects

The Charter School's Special Projects were approved as listed on Schedule A (K-3) and Schedule B (K-4) located in the ACFR. Our audit of the federal and state funds on a test basis indicated that obligations and expenditures were incurred during the fiscal year or project period for which the project was approved.

The financial exhibits are contained within the Special Revenue Section of the ACFR. This section of the ACFR documents the financial position pertaining to the aforementioned special projects.

T.P.A.F. Reimbursement

Our audit procedures included a test of the biweekly reimbursements filed with the Department of Education for Charter School employees who are members of the Teachers' Pension and Annuity Fund. No exceptions noted.

TPAF Reimbursement to the State for Federal Salary Expenditures

The amount of the expenditure charged to the current year's Final Report(s) for all federal awards for the charter school to reimburse the State for the TPAF/FICA payments made by the State on-behalf of the charter school for those employees whose salaries are identified as being paid from federal funds was made prior to the end of the 90-day grant liquidation period required by the Office of Grants Management. The expenditure was reviewed subsequent to the reimbursement and no exceptions were noted.

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School Purchasing Programs

Contracts and Agreements Requiring Advertising for Bids

N.J.S.A. 18A:18A-1 et seq. (Public School Contracts Law), the associated rules and related information on the statute, and school contracts in general is available on the [NJ Local Agency Procurement Laws](http://www.nj.gov/dca/divisions/dlgs/programs/lpcl.html) webpage: state.nj.us/dca/divisions/dlgs/programs/lpcl.html.

Current statute is posted on the [New Jersey Legislature](http://njleg.state.nj.us/) (njleg.state.nj.us/) website.

Effective July 1, 2020 and thereafter the bid thresholds in accordance with N.J.S.A 18A:18A-3 (as amended) and 18A:39-3 is \$44,000 (with a Qualified Purchasing Agent) and \$32,000 (without a Qualified Purchasing Agent), respectively. The law regulating bidding for public student transportation contract under N.J.S.A. 18A:39-3 is currently \$20,200 for 2021-2022.

The Charter School Board of Trustees has the responsibility of determining whether the expenditures in any category will exceed the statutory thresholds within the contract year. Where question arises as to whether any contract or agreement might result in violation of the statute, the Solicitor's opinion should be sought before a commitment is made.

Based on the results of our examination, we did not note any individual payments, contracts, or agreements made for the performance of any work or goods or services, in excess of the statutory thresholds where there had been no advertising for bids in accordance with the provision of N.J.S.A 18A:18A-4, amended.

Resolutions were adopted authorizing the awarding of contracts or agreements for "Professional Services" per N.J.S.A 18A:A8A-5.

School Food Service

PUBLIC HEALTH EMERGENCY

In accordance with the Governor's Declaration of Emergency pertaining to the public health emergency all Public, Charter, Non-Public schools were ordered to close effective as of March 18, 2020 for an undetermined period to limit the spread of the virus. As a result, School Food Authorities (SFA) were required to institute alternate procedures to provide meals to eligible students during the period of school closures.

Governor Murphy's emergency declaration ended June 4, 2021; however, the United States Department of Agriculture's (USDA's) federal waiver continued through June 30, 2022. Food Service Agencies operated under this federal waiver.

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As a result, School Food Authorities (SFA) were required to provide meals in accordance with the regulations governing the National School Nutrition Seamless Summer Option (SSO). SFA could also choose to participate in the National School Lunch Program utilizing standard counting and claiming practices.

SFAs were authorized to solicit and award emergency noncompetitive procurements and contracts with Food Service Management Companies in accordance with 2 CFR 200.320 and N.J.S.A.18A:18A-7. The SFAs were also authorized to submit contract modifications to their existing Cost Reimbursable or Fixed Price contracts as necessary to ensure the feeding of all children throughout the age of 18, as well as persons over 18 with disabilities as defined in the regulations.

SFAs were notified of the requirement to maintain and report separate meal count records and financial records of all applicable costs incurred in providing meals to all students during the emergency.

The school food service program was not selected as a major federal program.

The school food service program was not selected as a major federal program. However, the program expenditures exceeded \$100,000 in federal support. Accordingly, we inquired of school management, or appropriate school food service personnel, as to whether the School Food Authority (SFA) had any Child Nutrition Program reimbursement overclaims or underclaims. No exceptions noted.

Accordingly, we inquired of school management, or appropriate school food service personnel, as to whether the School Food Authority (SFA) had any Child Nutrition Program reimbursement over-claims or under-claims. No exceptions noted.

We also inquired of school management, or appropriate school food service personnel, as to whether the SFA's expenditures of school food service revenues were limited to allowable direct and indirect costs. No exceptions noted.

Non-program foods were not purchased, prepared, sold or offered for sale.

We inquired of management about the public health emergency procedures/practices that the SFA instituted to provide meals to all students, maintenance of all applicable production records; meal counts; noncompetitive procurements; modification of existing contracts and applicable financial records to document the specific costs applicable to the emergency operations. We also inquired if the FSMC received a loan in accordance with the Payroll Protection Plan (PPP) and whether the funds were used to pay for costs applicable to the Food Service Programs. We also inquired if the PPP loan was subsequently forgiven and the FSMC refunded or credited the applicable amounts to the SFA.

Net cash resources did not exceed three months average expenditures.

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Exhibits reflecting Child Nutrition Program operations are included in the section entitled Enterprise Funds, Section G of the ACFR.

Student Body Activities

Our audit revealed some student body activities during the fiscal year ended June 30, 2022 which were accounted for in separate bank accounts. Our review of the record of the Student Body Activities did not disclose any exceptions.

Enrollment Counts and Submission to the Department

Our audit procedures included test of information reported on the October 15, and the last day of school for on-roll, special education, English Language Learner (ELL) and low income. We also performed a review of the Charter School procedures related to its completion. The Charter School maintained adequate written procedures for the recording of student enrollment data. No exceptions were noted.

Miscellaneous

Facilities and Capital Assets

Our procedures included a review of policies and procedures adopted by the Charter School over its capital assets. We noted that acquisitions during the fiscal year ended June 30, 2022 met the capitalization threshold of \$2,000 set by the State of New Jersey's Department of Education for Charter Schools.

Testing for Lead of All Drinking Water in Educational Facilities

The Charter School adhered to all the requirements of N.J.A.C. 26-1.2 and 12.4 related to the testing for lead of all drinking water in educational facilities.

The Charter School submitted the annual Statement of Assurance to the Department of Education, pursuant to N.J.A.C. 6A:26-12.4(g)

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Follow-up on Prior Year's Findings

In accordance with *Government Auditing Standards*, our procedures included a review of all prior year recommendations including findings.

The findings in the prior year ended June 30, 2021 related to the following:

Finding # 2021-001 Expenses Charged to the Education and Stabilization Funds (CARES) Grant Were Not in Compliance With the Grant Agreement

Condition/Context:

The School transferred rent expenses from Fund 10 to Fund 20 and charged \$1,014,308 of rent expenses to the Education and Stabilization Funds (CARES) Grant. These are rent expenses from leases that had been in effect prior to the COVID-19 pandemic. There are no incremental costs charged to the School for any renovations or improvements by landlord that directly address preparedness and response to the COVID-19 pandemic situation. Therefore the School incurred no costs that should be charged to the grant. The auditors questioned \$1,014,308 because these expenditures were not in compliance with grant requirements.

The instance of non-compliance was considered by the auditors to be non-systematic and the result of an exceptional set of circumstances related to an emergency pandemic situation.

It should be noted that the Charter School in their response disagreed with this finding and the auditors' assertions. The Charter School believed that they obtained the appropriate approval from the New Jersey Department of Education.

Status of Condition

This condition did not exist during the year ended June 30, 2022. However, the Charter School has been advised by the New Jersey Department of Education to reverse the entire rental amounts that were charged to the CARES Act grant in the prior year ended June 30, 2021.

Finding # 2021-002 The School Prepaid Rent was Out of Compliance with State Regulations

Condition/Context:

On September 20, 2020, the Charter School entered into a 40 year sub-lease with its Charter Management Organization (iLearn Schools Inc. "iLearn"). This sub-lease is subject to all of the terms and conditions of the Master Lease including the covenants

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therein. As part of the sublease agreement, the school made the "basic prepaid rent" prepayment on January 13, 2021 in the full amount of \$3,436,000, which represents the prepayment of all rents due during the term of the lease.

Although the lease contains a termination provision in the event of the loss of the charter, there was no provision that would provide the charter school with the right to rescind or undo the lease. The sub-lease agreement provides that "no portion of basic pre-paid rent shall be refunded" in the event of a loss of charter.

In the event that the charter school would lose its charter from non-renewal and be forced to terminate the lease, iLearn, Inc., acting as sub-landlord (and tenant in the master lease), would still have the ability to rent the premises to another sub-tenant for the remaining term of the sub-lease. The Charter School would forfeit the deposit and the State would have no recourse of recovery in the event that the school lose its charter while iLearn could continue to benefit by renting the facility.

The predecessor auditors' review revealed that the situation was one of first impression given the uniqueness of the lease structure and that the language of the pertinent laws and regulations does not specifically address the issue of "prepayment" of rent by a charter school. However, the auditors believed that the intent of these laws and regulations, to protect taxpayers and provide transparency in lease transactions, when applied to the facts at issue here raised serious questions regarding the ability of the Charter School to enter into this lease provision. The auditors therefore considered the entire prepaid rent of \$3,436,000 as questioned cost.

Status of Condition

This condition did not exist during the year ended June 30, 2022. However, the Charter School was advised by the New Jersey Department of Education to recoup the entire prepaid rent of \$3,436,000 from the landlord and also have the lease revised to limit term to the term of each charter. The Charter School has complied with the NJDOE's advice and received a refund of the entire amount which was deposited in the Charter School's bank account prior to June 30, 2022. This resulted in a prior period adjustment.

There were no audit reports issued by the Office of Fiscal Accountability and Compliance (OFAC) during the 2021-2022 fiscal year.

Acknowledgement

We received the complete cooperation of all the officials of the Charter School and we greatly appreciate the courtesies extended to the members of the audit team.

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Food Service Fund
Number of Meals Served and (Over)/Underclaim
Enterprise Fund

Program	Meal Category	Meals Claimed	Meals Verified	Difference	Rate	(Over) Under Claim	
National School Lunch	Paid	-	-	-	-	\$ -	
	Reduced	-	-	-	-	-	
	Free	-	-	-	-	-	
	SSO	160,190	160,190	-	4.55	-	
	Total		<u>160,190</u>	<u>160,190</u>	<u>-</u>		<u>-</u>
School Breakfast	Paid	-	-	-	-	-	
	Reduced	-	-	-	-	-	
	Free	-	-	-	-	-	
	SSO	73,724	73,724	-	2.53	-	
	Total		<u>73,724</u>	<u>73,724</u>	<u>-</u>		<u>-</u>
National After School Snacks	Paid	-	-	-	-	-	
	Reduced	-	-	-	-	-	
	Free	30,237	30,237	-	1.00	-	
	Total		<u>30,237</u>	<u>30,237</u>	<u>-</u>		<u>-</u>
	Total Net (Over)/Underclaim						<u><u>\$ -</u></u>

PASSAIC ARTS AND SCIENCE CHARTER SCHOOL
Application for Charter School Aid
Schedule of Audited Enrollments
Enrollment Count as of October 15, 2021

Grades	Submission to DOE reported on Roll	Reported on Workpapers	Verified signed registration forms	Errors	Verified # of days enrolled	Errors	Special Ed &/ or Bilingual	Verified Documentation	Errors	Verified # of days of Service Provided	Errors	Low Income	Verified Documentation	Errors
Kindergarten	192	96	96	-	96	-	-	-	-	-	-	63	63	-
One	197	99	99	-	99	-	-	-	-	-	-	66	66	-
Two	193	96	96	-	96	-	2	2	-	2	-	68	68	-
Three	197	98	98	-	98	-	3	3	-	3	-	76	76	-
Four	192	96	96	-	96	-	4	4	-	4	-	71	71	-
Five	188	94	94	-	94	-	3	3	-	3	-	61	61	-
Six	179	90	90	-	90	-	3	3	-	3	-	65	65	-
Seven	91	46	46	-	46	-	4	4	-	4	-	38	38	-
Eight	91	45	45	-	45	-	5	5	-	5	-	36	36	-
Nine	88	44	44	-	44	-	-	-	-	-	-	35	35	-
Ten	75	38	38	-	38	-	3	3	-	3	-	25	25	-
Eleven	76	38	38	-	38	-	2	2	-	2	-	33	33	-
Twelve	65	32	32	-	32	-	5	5	-	5	-	26	26	-
Total	1,824	912	912	0	912	0	34	34	0	34	0	663	663	0
Percentage				0.00%		0.00%			0.00%		0.00%			

PASSAIC ARTS AND SCIENCE CHARTER SCHOOL
Application for Charter School Aid
Schedule of Audited Enrollments
Enrollment Count as of Last Day of School

Grades	Submission to DOE reported on Roll	Reported on Workpapers	Verified signed registration forms	Errors	Verified # of days enrolled	Errors	Special Ed &/ or Bilingual	Verified Documentation	Errors	Verified # of days of Service Provided	Errors	Low Income	Verified Documentation	Errors
Kindergarten	192	96	96	-	96	-	-	-	-	-	-	66	66	-
One	197	98	98	-	98	-	1	1	-	1	-	66	66	-
Two	193	97	97	-	97	-	2	2	-	2	-	69	69	-
Three	197	99	99	-	99	-	7	7	-	7	-	68	68	-
Four	192	96	96	-	96	-	1	1	-	1	-	68	68	-
Five	188	94	94	-	94	-	2	2	-	2	-	72	72	-
Six	179	89	89	-	89	-	7	7	-	7	-	76	76	-
Seven	91	45	45	-	45	-	3	3	-	3	-	34	34	-
Eight	91	46	46	-	46	-	2	2	-	2	-	35	35	-
Nine	88	44	44	-	44	-	3	3	-	3	-	39	39	-
Ten	75	37	37	-	37	-	3	3	-	3	-	29	29	-
Eleven	76	38	38	-	38	-	2	2	-	2	-	30	30	-
Twelve	65	33	33	-	33	-	4	4	-	4	-	23	23	-
Total	1,824	912	912	0	912	0	37	37	0	37	0	675	675	0
Percentage				0.00%		0.00%			0.00%		0.00%			0.00%

**PASSAIC ARTS AND SCIENCE CHARTER SCHOOL
NET CASH RESOURCE SCHEDULE**

**Net cash resources did/did not exceed three months of expenditures
Proprietary Funds - Food Service
Year ended June 30, 2022**

<u>Net Cash Resources:</u>	Food Service B - 4/5	
CAFR *		Current Assets
B-4	\$ 1,441,062	Cash & Cash Equiv.
B-4	(180,659)	Due from Other Gov'ts
B-4	145,538	Accounts Receivable
B-4	-	Investments
CAFR		Current Liabilities
B-4	(109,536)	Less Accounts Payable
B-4	-	Less Accruals
B-4	-	Less Due to Other Funds
B-4	-	Less Deferred Revenue
	<u>\$ 1,296,405</u>	Net Cash Resources
		(A)
 <u>Net Adj. Total Operating Expense:</u>		
B-5	1,771,766	Tot. Operating Exp.
B-5	(10,960)	Less Depreciation
	<u>\$ 1,760,806</u>	Adj. Tot. Oper. Exp.
		(B)
 <u>Average Monthly Operating Expense:</u>		
	<u>\$ 176,081</u>	B / 10
		(C)
 <u>Three times monthly Average:</u>		
	<u>\$ 528,242</u>	3 X C
		(D)

TOTAL IN BOX A	\$ 1,296,405	
LESS TOTAL IN BOX D	\$ (528,242)	
NET	<u>\$ 768,163</u>	
From above:		
D is less than A, cash exceeds 3 X average monthly operating expenses.		

* Inventories are not to be included in total current assets.

Source: Charter School's CAFR

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Audit Recommendations Summary

Findings and Recommendations:

1. Administrative Practices and Procedures

None

2. Financial Planning, Accounting and Reporting

None

3. School Purchasing Programs

None

4. School Food Service

None

5. Student Body Activities

None

6. Application for State School Aid

None

7. Pupil Transportation

None

8. Facilities and Capital Assets

None

9. Miscellaneous

None

10. Status of Prior Year Audit Findings/Recommendations

The finding #s 2021-001 and 2021-002 in the prior year have been resolved. Not repeated in 2022.